IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2172 OF 2006

Swati Anil Sawant ... Petitioner

Vs.

The Municipal Corporation and Anr... Respondents

Mr. Madhav Jamdar for Petitioner.

Ms. Preeti Purandhare for Respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED: AUGUST 28, 2006

P.C.:

. Rule. Heard forthwith.

. It is the case of the Petitioners, that she was allotted premises as an employee in the year 1992. She has since retired. The Petitioners is residing in a building where there were other municipal employees who have also since retired. Their initial occupation as employee has been converted into that of tenancy. The Petitioenr is the only exception in the said building. It is the request of the Petitioner that their case be also considered on similar line like others ex-municipal employees who service quartes were converted into tenancies. The Petitioner has made application which till date has not been disposed of.

. Considering the above, the only relief that we

can grant to the Petitioner in this case is to issue directions to the Joint Municipal Commissioner to consider the case of the Petitioner in the like manner as was considered in the case of other service tenancies in the building. If the Petitioner falls in the same criteria, then to give the Petitioners the benefit according to law. Till such time the decision is taken and for a period of four weeks thereafter if the order be adverse, the Petitioner not to be evicted, provided the Petitioner pays the licence fees which are due and payable according to law.

. Rule made absolute accordingly. No order as to costs.

(ANOOP V. MOHTA,J.) **(F.I.REBELLO, J.)**